

Brian Chancey  
Plaintiff in *Propria Persona*  
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United States Courts  
Southern District of Texas  
FILED

JUL -13 2022

Nathan Ochsner, Clerk of Court

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS**

United States Post Office and Courthouse; 601 Rosenberg, Room 411; Galveston, TX 77550

BRIAN CHANCEY

PLAINTIFF,

v.

CASE NO. 3:22-cv-34

BASF CORPORATION

DEFENDANT.

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**MOTION TO SET ASIDE OR VACATE ORDER**

In accordance with FRCP 60(b)(4) and (6) the plaintiff moves this court to set aside or vacate its "Order denying a special master" dated June 15, 2022 for the reason that it was erroneous and the result of an abuse of discretion and entirely without any legal merit. This motion is a timely request made within one year of the date of the order.

The order failed to deny plaintiff's allegation that exceptional conditions exist. The exceptional condition which surrounds this case is the fact that this court has adopted the very same policies which the defendant has adopted and it is these policies which have created the causes of action which gave rise to plaintiff's complaint. The court is doing the same thing the defendant is being sued for.

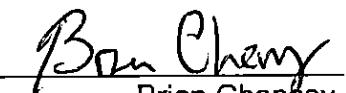
In addition, the bias of this court is further demonstrated by the fact that Judge Brown and Judge Rosenthal have not revoked any "special orders" they signed administering the "covid policy" even after this Court's Tampa division ruled

that the CDC has no authority to impose universal mitigation measures and therefore cannot confer any authority on other entities<sup>1</sup> such as the transportation industry. The Galveston court continues to impose mitigation measures, without an authority to do so, based on CDC "guidance", despite the District Court Tampa division ruling. This court's adherence to imposing the policy does demonstrate a bias in favor of the "covid policy".

Furthermore, unless this conflict is resolved by the appointment of a special master to help navigate this exceptional condition, the court is frustrating the plaintiff's access to a fair and impartial court.

Specifically, plaintiff requests the facts and the legal foundation upon which the judge based his order denying a Special Master.

Dated this 12 day of July, 2022.

  
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Brian Chancey  
Plaintiff *in Propria Persona*

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<sup>1</sup> *Health Freedom Defense Fund, Inc v Biden*